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have independent value, and the introduction to the *Lex Aelia Repetundarum* is of value to the student of Roman procedure. As we are interested in Roman private law rather than Roman public law, lawyers are likely to have less use for the book than historians — for whom, indeed, it was prepared.

R. P.

EQUITY, ITS PRINCIPLES IN PROCEDURE, CODES, AND PRACTICE ACTS. The Prescriptive Constitution. By William T. Hughes. St. Louis: Central Law Journal Company. 1911. pp. xxiii, 610.

This book is written after the manner of the work on "Procedure" and that on "Grounds and Rudiments of Law" by the same author, and is intended to be supplementary to those works. A little over half of the book contains the text, the other portion being devoted to an elaborate text-index like that contained in the "Grounds and Rudiments of Law." The author dwells at great length upon the distinction between the mandatory and statutory records, vigorously maintaining the sanctity of the former under the "Prescriptive Constitution" or "higher law." As in his former treatises, Mr. Hughes finds his principles enunciated in Latin maxims which he asserts to be derived from the Civil Law, but many of which are, it would seem, of modern origin and peculiar to the common law. He restates his six "trilogies" which are already familiar to the readers of his earlier works.

Mr. Hughes is indefatigable in reading the cases, careful and exact in digesting them, original in his terminology and presentation, and logical in his reasoning. Many students of the law, however, and among them the writer of this review, are utterly unable to agree with his premises. They are inclined to doubt the existence of the "higher law" and to question the sacredness of the mandatory judicial record, and are inclined to regard many of the rules of pleading as technical and narrow and resulting from historical accident. A great deal of sound law, however, it must be admitted, has been collected between the covers of the book and forcefully and clearly presented. A. W. S.